

Camden County Board of Commissioners

**Regular Meeting
September 17, 2007**

7:00 P.M.

**Historic Courtroom, Courthouse Complex
Camden, North Carolina**

MINUTES

The regular meeting of the Camden County Board of Commissioners was held on Monday, September 17, 2007 at 7:00 p.m. in the Historic Courtroom, Courthouse Complex, Camden, North Carolina. The following members were present:

Chairman Jeffrey B. Jennings

Vice Chairman Philip Faison

Commissioners Melvin J. Jeralds, Sandy Duckwall, and Mike Andrews

Also present was County Manager Randell Woodruff, Clerk to the Board Ava Gurganus, and County Attorney John Morrison.

Upon request of Chairman Jeffrey Jennings, Commissioner Mike Andrews gave the invocation and led those assembled in the Pledge of Allegiance.

Presentation – Lt. Alan Melvin and Emergency Management Director Christy Saunders

Emergency Management Director Christy Saunders stated she applied for and received a \$2,000,000.00, 100% regional grant in May 2005, to build a tower in Camden County. This grant involved an upgrade of a tower in Windfall and the tower in Pasquotank County and for the construction of a 480' tower in the northern part of Camden County. This would tie the County into the VIPER System, which is a state wide system for 800 MHz communication. This grant will put the infrastructure in place at no cost and allows EMS to put radio systems on tower. The Highway Patrol is the lead agency and identified additional funds for free standing tower which would require less than 1/2 acre of property and requested that the Board consider putting the tower against tree line on the sprayfield property.

Lt. Alan Melvin, NC Highway Patrol, stated the Highway Patrol does not own the tower, but will build and manage it. The tower is for all emergency responders and this will build out that network in the form of infrastructure.

Major Jon Worthington stated that Camden has to share frequency with animal control and this would allow animal control their own frequency; the proposed tower will eliminate several weak spots in the county; and benefits fire and EMS departments.

Public Comments

Buddy Tucker, 617 Trotman Road, invited citizens to attend disabled veterans parade in Elizabeth City on November 10, 2007 and inquired if there was going to be space available for local amateur service on the proposed tower.

Lt. Melvin responded in the affirmative.

Bill Bland, 112 Deer Trail, expressed concern regarding the recent newspaper article on the Black Bear landfill; by continuing to pursue the landfill that the County is narrowing opportunities in other fields; wasting precious resources, time and money in a law suit against the state; taking time away where the County could be moving on and looking at other commercial ventures.

Consideration of Minutes

Commissioner Philip Faison made a motion to approve the minutes of the September 4, 2007 regular meeting subject to correction of typographical and technical errors. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Consideration of Agenda

Chairman Jeffrey Jennings added *Item VII. Old Business, D. Communication Tower*, and *Item IX. New Business, H. Soil & Water Conservation Vehicle*.

Commissioner Mike Andrews made a motion to approve the agenda as amended. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Adequate Public Facilities Ordinance (APFO) Coordinating Committee

This matter was laid over from the September 4, 2007 Commissioners meeting so that the Commissioners could further study at what point in the approval process the measurement of adequacy and advancement of capacity should be required.

One item of discussion at the Coordinating Committee meeting was the consideration of at what point in the approval process the measurement of adequacy, and advancement of capacity should be required. Currently this occurs prior to approval of final plat, or if no plat is required, prior to issuing a building permit. It is recommended that the adequacy determination be conducted, and advancement of capacity be applied, at the building permit approval stage. Since the Ordinance refers to the timing of determination at preliminary & final plat or building permit the recommendation may require a formal amendment to the APFO.

Commissioner Mike Andrews made a motion to set public hearing on proposed amendment to the APFO on Monday, October 15, 2007 at 7:00 p.m. or as soon thereafter as the agenda allows. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Economic Advancement Committee

This matter was laid over from the September 4, 2007 Commissioners meeting so that the County Manager could bring back recommendations of members for the Economic Advancement Committee.

Following discussion and review of the list provided to the Commissioners, Chairman Jeffrey Jennings asked that each Commissioner compile a list of private sector recommendations for consideration of appointment at the October 1, 2007 Commissioners meeting and instructed Planning Director Dan Porter to recommend two (2) Planning Board members to serve on the Economic Advancement Committee.

Commissioner Mike Andrews will sit as Commissioner and Chair the temporary Economic Advancement Committee.

Mike Andrews made a motion for the Economic Advancement Committee to consist of two (2) county commissioners, two (2) Planning Board members, Planning Director, County Manager, and not to exceed eight (8) members of the private sector. The motion failed with Commissioners Melvin Jeralds, Philip Faison and Chairman Jeffrey Jennings voting no; Commissioners Sandy Duckwall and Mike Andrews voting aye; no Commissioner absent; and no Commissioner not voting.

Consent Agenda

Attorney John Morrison explained the structure of a consent agenda; disadvantages and advantages.

Commissioner Mike Andrews made a motion to proceed with utilizing a consent agenda for the Commissioners meetings. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Communication Tower

Commissioner Mike Andrews made a motion to proceed with David Credle in finding a location on the sprayfield for the proposed 480' communication tower. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Recused from Voting

Chairman Jeffrey Jennings asked for a motion to be recused from participating in the public hearing and consideration of UDO 2007-05-22 due to family interest.

Commissioner Mike Andrews made a motion to recuse Chairman Jennings from participating in the public hearing and consideration of UDO 2007-05-22 due to family interest. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, and Mike Andrews voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Public Hearing – Ordinance No. 2007-09-01 – An Ordinance Amending the Camden County Code of Ordinances – Chapter 151

Commissioner Sandy Duckwall made a motion to go into public hearing to receive comments from the public regarding Ordinance No. 2007-09-01. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Planning Director Dan Porter reviewed Ordinance No. 2007-09-01.

The proposed ordinance adds language to the Unified Development Ordinance (UDO) to regulate the installation/construction of wind energy systems in Camden County. The current UDO does not address this type of use, and as such is typically interpreted to be prohibited.

As a result of receiving at least three (3) inquiries regarding erecting windmills to provide alternative energy sources, the Planning Department has researched regulations in North Carolina and other states, consulted with local electricity providers regarding their procedures and requirements, met with representatives of the North Carolina Sustainable Energy Association, and drafted the proposed ordinance for consideration.

The Planning Board has considered the issue at several meetings, and recommended approval on a 7-0 vote on August 15, 2007

Chairman Jeffrey Jennings called for any comments from the public.

Ted Vogel, Alternative Energy Officer – Blackwater USA gave recommendations for consideration for Ordinance No. 2007-09-01.

Commissioner Sandy Duckwall made a motion to go out of public hearing. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike

Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Public Hearing – Special Use Permit – UDO 2007-05-22 – Camden Automotive & Truck Repair

Commissioner Mike Andrews made a motion to go into public hearing to receive comments regarding UDO 2007-05-22. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, and Mike Andrews voting aye; no Commissioner voting no; no Commissioner absent; Chairman Jeffrey Jennings recused; and no Commissioner not voting.

The Planning Board met on July 18, 2007 and recommend approval on a 7-0 vote with conditions as recommended in the Findings of Facts, for this Special Use Permit application as it meets the requirements of the Chapter 151 of the Code of Ordinances.

Vice Chairman Philip Faison presided over the public hearing, with no participation from Chairman Jeffrey Jennings.

The Clerk administered the oath to Dave Parks, Chris Meyers and Charlie Cartwright.

Permit Officer Dave Parks: *Mr. Charlie Cartwright has come in and applied for a Special Use Permit for a commercial business, Camden Automotive and Truck Repair on property located at 210-A Belcross Road. In your packet you have a copy of the Findings of Facts and supporting documents on staff's investigation of the Special Use Permit and we would like to submit that as evidence now.*

John Morrison: *It would be proper Mr. Chairman for you to indicate that you accept that into evidence for the record.*

Vice Chairman Philip Faison: *Mr. Parks, for the record, I do accept the documents in the package.*

Permit Officer Dave Parks: *In looking at the request for the business and the location of the property in the surrounding area, Planning Board has looked at the packet and the conditions stated in the findings of facts, at which time I would like to go over with the Board. The Planning Board had recommended approval of this application with the conditions as stated in the Findings of Facts based on the supporting documentation attached thereto. Condition #1. The applicant must strictly abide by all requirements of the Unified Development Ordinance of Camden County, North Carolina, and must also strictly comply with all other local, state, and federal ordinances, laws, rules and regulations as one or more ordinances, laws, rules and regulations may apply to this development. #2. The applicant shall complete the development strictly in accordance with the plans approved by the Board of Commissioners of Camden County, North Carolina, and contained in the file titled UDO 2007-05-22. #3. Applicant shall have twenty four months from date of approval to install septic and bath room facility. #4. Applicant shall provide copy of contract for removal of waste water. #5. Applicant shall be limited to the outside storage of six (6) vehicles on site. #6. Hours of operations shall be limited to Monday – Saturday from 7:30 a.m. to 5:30 p.m. #7. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this approval in its entirety shall be void and have no effect.*

Staff did have a conversation with the property owner up front. They voiced some concern as far as the speed of the vehicles coming down the easement going down to the property. He will present his case and he is requesting that a speed limit sign be posted of 20mph on the property going back on the easement. We will let him explain his stuff to you. Staff would open up to any public comments at this time.

Vice Chairman Philip Faison: *Thank you Mr. Parks. Anyone wishing to speak? Come forth and state your name for the record please.*

Chris Meyers: *My name is Chris Myers, and I live at property located at 210 Belcross Road, just forward of Camden Truck & Auto. I first want to say to the Board that I am not here to contest anything that Charlie is trying to do here. Just basically been approached by an existing realtor that we have that we use quite frequently, and an appraiser as well who appraised the property two months ago, there was a few considerations. The one that he mentioned earlier about the safety issue. I talked to Charlie. I don't think that anything we put in the letter (passed out letter) one, is the speed limit sign. It is directly behind my property. The only access is directly down the side of my yard. In fact, the driveway is half on my property line and half on the other side. This is not in dispute. We have talked to the land owner and this is a simple easement agreement. Zero problems with that at all. But I do have special needs children reside in my home as well pets and I have three kids. We are just basically asking if the owner would mind placing a lower speed sign with a possible caution children at play sign just to make drivers aware. We have not had a significant problem. There have been a few incidents where people go up and down and I think in most of those cases Charlie has asked those people to slow down but as new customers come in, you know, it is just a visual reminder to please limit your speed due to children playing in the area. A few of the others were just recommendations for property value type enhancement. Not so much appraisal value as marketability if you were to sell the home. Just impact such as things like obviously I did not see the special use permit so some of this is shooting from the cuff and I know that some of this might be contained therein already. Such as visibility from the street. Obviously we do not want the place to turn into a junk yard because that would definitely affect property value and things like that and I have talked to Charlie about that and I don't think that is going to be a huge issue. Just basically try to keep most of the vehicles hidden from public view if possible. I am not asking for him to put up a fence or anything that is going to incur additional cost. Just possibly if he has excess vehicles parked there to park them behind the barn or something like that for aesthetic value. I think the only other thing we are asking for and I've talked to Charlie as well and I don't think it is outrageous, we kind of considered right there on the corner of the property; driving down the road you can not see his business. All you can see is my home and we were kinda concerned and I've talked to Charlie and I like to get things in writing that he is not going to put up huge billboard banner type sign right in front of my house that says Camden Truck & Auto. I said no signs in the letter but I am not referring to signs, I don't mind if he advertises Camden Truck & Auto on the building or somewhere where people can actually see the sign which we consider huge billboard placard type right there in front of the house. And that is pretty much the body of the letter. I am asking for these things to be considered and placed in the special use land permit.*

Vice Chairman Philip Faison: *Ok. Anyone have any questions. Do you feel comfortable to Mr. Cartwright's responses to what you have asked.*

Charlie Cartwright: *I would like a small sign at the end of the driveway because when the corn fields are up you really can't see it. Nothing real big. As far as the traffic, the speed limit sign, I don't have a problem. I am concerned about the ATV traffic because I am scared someone might get run over and they can obey the speed limit sign as well. I can't think of anything else unless you have a question.*

Vice Chairman Philip Faison: *Just be good neighbors and respect the guy behind you and in front of and get along.*

Charlie Cartwright: *I don't think that's no problem.*

John Morrison: *Mr. Chairman, I believe for the record the present speaker needs to give his name and address.*

Charlie Cartwright: *My name is Charlie Cartwright, 379 North Currituck Road, Moyock, NC.*

Vice Chairman Philip Faison: *Thank you Mr. Cartwright. Any questions. Do I hear a motion to go out of public hearing?*

Commissioner Mike Andrews made a motion to go out of public hearing. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews voting aye; no Commissioner voting no; no Commissioner absent; no Commissioner not voting; and Chairman Jeffrey Jennings recused from voting.

Public Hearing - - Special Use Permit – UDO 2007-07-26 – Tarheel Mats, Inc. – Gary Sawyer

Commissioner Mike Andrews made a motion to go into public hearing to receive comments from the public regarding UDO 2007-07-06. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The Planning Board met on August 15, 2007 and recommended approval on a 7-0 vote with conditions as recommended in the Findings of Facts, for this Special Use Permit application, as it meets all requirements of the Code of Ordinances and is in conformity with the County's Land Use Plan.

The Clerk administered the oath to Dave Parks and Gary Sawyer.

Dave Parks: *Yes, Mr. Chairman, Mr. Gary Sawyer has applied for a special use permit application for a commercial business, Tarheel Mats, Inc., located on property at 654 North NC 343. In your binders you will see again the Findings of Facts and the supporting documents thereto pertaining to this and staff at this time would like to submit these as evidence.*

Dave Parks provided the Board with an amended Finding of Facts #8 and an aerial photo.

Chairman Jeffrey Jennings: *You wanted this submitted as Findings of Facts #8.*

Dave Parks: *Yes, I will be explaining that there also. Do you want to accept these as evidence?*

Chairman Jeffrey Jennings: *Yes, we will accept them.*

Dave Parks: *The application went to the Planning Board and the Planning Board recommended approval with the conditions as stated in the Findings of Facts. I gave you a request for an amendment to condition #8. I will get to that when I read the conditions. Staff would like to go over the conditions of the permit for Tarheel Mats. #1. The applicant must strictly abide by all requirements of the Unified Development Ordinance of Camden County, North Carolina, and must also strictly comply with all other local, state, and federal ordinances, laws, rules and regulations as one or more ordinances, laws, rules and regulations may apply to this development. #2. The applicant shall complete the development strictly in accordance with the plans approved by the Board of Commissioners of Camden County, North Carolina, and contained in the file titled UDO 2007-07-26. #3. Property owner shall obtain a building permit from the Planning Office for the Office Building within five (5) business days from date of approval. #4. Applicant shall coordinate with NCDOT in posting caution signs referring to "Logging Trucks entering/existing highway" along North and South Highway 343 within 500 feet of property. #5. Display of goods shall limited to four (4) neatly stack's of mats. #6. Front of property shall be cleared of all debris. #7. Applicant shall provide some landscaping along the front of property to improve appearance of property. Condition #8, in talking with the property owner and the owner of the business he will explain more deeply. Staff is recommending that condition #8 be modified to what we presented. In front of you is that the Type C landscaping required in accordance with Article 151.139 shall be hereby waived until such a time when the surrounding property is approved for development consisting of three or more lots. Attached to the requested amended for condition #8, you will see some photography that the applicant's family actually owns behind it and also have a garden on the right side of the property where access to that garden is on the right side of his property. So the requirement of landscaping would prevent him from gaining access to it and since the surrounding property in the back is agricultural, staff is*

recommending that the condition #8 be modified as presented to you as the spirit of the ordinance will be keep in faith as far as the requirement be enforced if there was to be any development around the property. #9. Regular hours of operations shall be limited to Monday – Saturday from 7:30 A.M. to 5:30 P.M. Under unavoidable circumstances (i.e. equipment breaking down, early delivery) applicant shall be allowed to operate. #10. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this approval in its entirety shall be void and have no effect. Staff would like to open this up to the public for any comment on this issue.

Gary Sawyer: *Gary L. Sawyer, 139 Scotland Road, Camden. On Article 8, I have talked to my uncle which owns the property side of me and he will come over there and tell me Gary will you move some trailers, or something like, that so he can get in his garden. And that is why we would like for article 8 to be waived. As far as the landscaping front, don't have no problem with that. Actually, I think Mr. Parks has probably already seen some of the landscaping that we have already done in the front but we would just like that to be waived so he can actually cultivate his garden along side of me. The other side belongs to me. The easement on the far side is a 45' easement so my cousins can get into their farm around back. Other than that, I don't have nothing else to say.*

Chairman Jeffrey Jennings: *You are in agreement with the change he has made in this #8. Is that what you are saying?*

Gary Sawyer: *Yes.*

Chairman Jeffrey Jennings: *Anyone have any questions? Any comments from the public? Hear a motion to go out of public hearing on this special use permit application?*

Commissioner Philip Faison made a motion to go out of public hearing. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Consideration of Ordinance No. 2007-09-01 An Ordinance Amending the Camden County Code of Ordinances – Chapter 151

Planning Director Dan Porter recommended changing height to 150' and two times the height of the tower for setback.

Commissioner Mike Andrews made a motion to approve Ordinance No. 2007-09-01 with changes recommended by the Planning Department. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Approved Ordinance No. 2007-09-01 reads as follows:

Ordinance No. 2007-09-01

**An Ordinance
Amending the Camden County
Code of Ordinances**

Camden County, North Carolina

BE IT ORDAINED BY THE CAMDEN COUNTY BOARD OF COMMISSIONERS as follows:

Article I: Purpose

The purpose of this Ordinance is to amend the Chapter 151 of the Camden County Code of Ordinances of Camden County, North Carolina, which was originally adopted by the County Commissioners on December 15, 1997, and subsequently amended and as otherwise incorporated into the Camden County Code.

Article II. Construction

For purposes of this Ordinance, underlined words (underline) shall be considered as additions to existing Ordinance language and strikethrough words (~~strikethrough~~) shall be considered deletions to existing language. New language of proposed ordinance shall be shown in italics (*italics*) and underlined.

**Article III. Amend Chapter 151 as amended of the Camden County Code
which shall read as follows:**

§ 151.334 Table of Permissible Uses (See attached table)

§ 151.347 Specific Standards

(T) The following development standards and procedures shall apply to all Wind Turbines.

(1) The following definitions shall apply unless the context clearly indicates or requires a different meaning:

***Large Wind Energy System.** A wind energy conversion system consisting of one or more wind turbine(s), a tower(s), and associated control or conversion electronics, which has a rated capacity of more than 20 kW.*

***Small Wind Energy System.** A wind energy conversion system consisting of a single wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than 20 kW and whose primary intent is to generate power to on-site consumption.*

***Wind Turbine Height.** The height as measured from the lowest adjacent grade to the tip of the turbine when it reaches its highest elevation.*

(2) Small Wind Turbine systems shall be a permitted in accordance with Article 151.334 (Table of Permissible Uses) subject to the following standards:

(a) Height shall be limited to 150 feet.

(b) Setback. The base of the wind turbine shall not be closer to surrounding property lines than the height of the wind turbine unless a NC Registered Professional Engineer certifies the fall zone of the wind turbine and appurtenances will be within the setback area proposed. In addition, no wind turbine shall be located closer to an inhabited structure on adjacent property than 1.5 times the height of the wind turbine. Relief from this section may be granted if the applicant can secure a permanent easement from the adjoining property owner(s) providing for a fall zone.

(c) Building Permit Requirements. A building permit shall be required and building permit applications for small wind energy systems shall be accompanied by standard drawings of the wind turbine structure, including the tower, base, and footings. An engineering analysis of the tower certified by a licensed professional engineer which includes standards for ice/wind loading shall also be submitted. This analysis may be supplied by the manufacturer. Wet stamps shall not be required.

(d) Compliance with FAA Regulations. Small wind energy systems must comply with applicable FAA regulations, including any necessary approvals for installations close to airports. Evidence of Compliance or non-applicability shall be submitted with the application.

(e) Utility Notification. No small wind energy system shall be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

(f) Appearance. Small wind energy towers shall maintain a galvanized finish or be painted to conform with the tower color to the surrounding environment to reduce visual obtrusiveness. No wind tower should have any signage (except that of the manufacturer), or writing or pictures that may be construed as advertising placed on it at any time. In addition no flags, streamers, decorative items or lights may be attached to the wind energy system tower or turbine.

(g) Any wind energy system that is not functional shall be repaired by the owner or removed. In the event that the County becomes aware of any wind energy system that is not operated for a continuous period of 6 months, the County will notify the landowner by registered mail and provide 45 days for a written response. In such a response, the landowner shall set forth reasons for the operational difficulty and provide a reasonable timetable for corrective action. If the County deems the timetable for corrective action as unreasonable, the County shall notify the landowner and such landowner shall remove the turbine with 120 days of receipt of said notice.

(h) Landscaping/screening plan.

(i) Removal Guarantee Required: A surety bond or other form of guarantee from a reputable financial institution for 120% of the cost of removal of the proposed wind energy system. The cost of

removal of the wind energy system shall be determined by an engineer of sufficient expertise and agreed to by the Planning Director or Board of Commissioners.

(3) Large wind energy systems shall be a use permitted in accordance with Article 151.334 (Table of Permissible Uses) subject to the following standards.

(a) The height limit of 150 feet may be increased if recommended as necessary by the Planning Board and subsequently approved by the Board of Commissioners.

(b) Setback. The base of the wind turbine shall not be closer to surrounding property lines than the height of the wind turbine unless a NC Registered Professional Engineer certifies the fall zone of the wind turbine and appurtenances will be within the setback area proposed. Relief from this section may be granted if the applicant can secure a permanent easement from the adjoining property owner(s) providing for a fall zone. In addition, no wind turbine shall be located closer to an inhabited structure than 2.0 times the height of the wind turbine.

(c) Permit Application. A person seeking a site permit for a wind turbine over 20 kW shall file an application with the Camden County Planning Department for review as follows.

(1) An applicant for a site permit must provide the following background information regarding the applicant:

(A) A letter of transmittal signed by an authorized representative or agent of the applicant.

(B) The complete name, address, telephone number, and e-mail address of the applicant and any authorized representative.

(C) The signature of the person who prepared the application, if prepared by an agent or consultant of the applicant.

(D) The role of the permit applicant in the construction and operation of the wind power project.

(E) The identity of any other wind power project located in the State in which the applicant, or a principal of the applicant, has an ownership or other financial interest; the operator of the wind power project if different from the applicant; and the name of the person or persons to be the permittee if a site permit is issued.

(2) The applicant shall state in the application whether a certificate of public convenience and necessity for the system is required from the North Carolina Utilities Commission and, if so, the anticipated schedule for obtaining the certificate. The County may ask the Utilities Commission to determine whether a certificate of public convenience and necessity is required for a particular wind power project for which the County has received a site permit application. The County shall not approve a project requiring a certificate unless and until such certificate is issued by the Utilities Commission. If a certificate is not required from the Utilities Commission, the permit applicant shall include with the application a discussion of what the applicant intends to do with the power that is generated.

(3) The applicant shall describe in the application how the proposed wind power project furthers State policy to site such projects in an orderly manner compatible with environmental preservation sustainable development, and the efficient use of resources.

(4) The permit applicant shall include the following information about the site proposed for the wind power project and any associated facilities:

(A) The surveyed boundaries of the site proposed for the wind power project.

(B) The survey map showing the proposed location of the wind turbines (including access roads) as it relates to the boundaries of the parcel, adjacent ownerships and existing residences, schools and churches in the general area of the proposed wind power project. Survey shall show all structures, utility lines and setback lines.

(C) The applicant's land rights within the boundaries of the proposed site.

(5) The permit applicant shall provide the following information regarding the design of the proposed wind power project:

(A) A project layout, prepared by a design professional, including a map showing the proposed location of the turbine(s).

(B) A description of the turbine(s) and tower(s) and other equipment proposed to be used in the wind power project, including the name of the manufacturers of the equipment.

(C) A description of the project electrical system, including transformers at both low voltage and medium voltage.

(D) A description and location of associated facilities.

(6) An applicant for a site permit shall include with the application an analysis of the potential impacts of the wind power project, proposed mitigative measures, and any adverse environmental effects that cannot be avoided, in the following areas:

(A) Demographics, including people, homes, and businesses.

(B) Noise

(C) Visual impacts

(D) Public services and infrastructure

(E) Recreational resources

(F) Cultural and archaeological impacts

(G) Public health and safety, including air traffic, electromagnetic fields, and security traffic.

(H) Hazardous materials

(I) Land-based economics, including agriculture, forestry, and mining

(J) Tourism and community benefits

(K) Topography

(L) Soils

(M) Geologic and groundwater resources

(N) Surface water and floodplain resources

(O) Wetlands

(P) Vegetation

(Q) Avian, impact assessment that includes an indication of the type and number of birds that are known or suspected to use a project site and the area surrounding that site.

(R) Wildlife

(S) Rare and unique natural resources

(7) The permit applicant shall describe all the following:

(A) The manner in which the wind power project, including associated facilities, will be constructed.

(B) How the wind power project will be operated and maintained after construction, including a maintenance schedule.

(C) The anticipated schedule for completion of the wind power project, and shall identify the expected date of commercial operation.

(D) The energy expected to be generated by the wind power project.

(8) The permit applicant shall include the following information regarding decommissioning of the wind power project and restoring the site.

(A) The anticipated life of the wind power project

(B) The estimated decommissioning costs in current dollars.

(C) The method and schedule for updating the costs of decommissioning and restoration.

(D) The method of ensuring that funds will be available for decommissioning and restoration.

(E) The anticipated manner in which the wind power project will be decommissioned and the site restored.

(9) The permit applicant shall include in the application a list of all known federal, state, and local agencies or authorities, and titles of the permits they issue that are required for the proposed wind power project.

(10) State and National Parks and Forests: If a proposed wind energy site is within the viewsheds of a State National Park or Forest, the applicant shall inform the National Park Service, the US Forest Service or appropriate State Park System of the proposed wind turbine sitting. Recommendations from reviewing Departments and Agencies shall be given reasonable consideration and documentation of this consideration shall be provided to the County. Reviewing Departments and Agencies shall be afforded 30 days to respond to the applicant's written intention to erect a wind turbine. No answer to the notification within the 30 days shall be considered as an affirmation of the site proposed. Viewshed shall be determined by the County using maps and documents prepared for that purpose by the Design Research Laboratory at NC State University with consultation with the appropriate national or state department of agency.

Adopted by the Board of Commissioners for the County of Camden this 17th day of September, 2007.

County of Camden

Jeffrey B. Jennings, Chairman
Camden County Board of Commissioners

ATTEST:

Ava Gurganus
Clerk to the Board

Consideration of Special Use Permit – UDO 2007-05-22 – Camden Automotive & Truck Repair

Vice Chairman Philip Faison presided.

Dave Parks addressed concerns of adjacent property owner and recommended that the Board add the condition that the property owner post a speed limit sign in front of the easement of 15 mph and that the applicant be limited to a 16 sq. ft. advertising sign in front of the property.

Commissioner Melvin Jeralds made a motion to approve UDO 2007-05-22 with the conditions as stated in the Findings of Facts. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, and Mike Andrews voting aye; no Commissioner voting no; no Commissioner absent; Chairman Jeffrey Jennings recused from voting; and no Commissioner not voting.

Consideration of Special Use Permit – UDO 2007-07-26 – Tarheel Mats, Inc. – Gary Sawyer

Commissioner Philip Faison made a motion to approve UDO 2007-07-26 with the conditions as stated in the Findings of Facts. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Tax Releases, Pick Ups & Refunds

Commissioner Philip Faison made a motion to approve the tax releases, pick ups and refunds as submitted by the Tax Administrator. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

<u>Name</u>	<u>Amount</u>	<u>Type</u>	<u>Reason</u>	<u>No.</u>
Samuel Nash	\$846.58	Release	Connect lot	9352
	\$695.38	Pick Up		
	\$151.20	Adjustment		
Henderson				
Audiometrics	\$216.74	Release	Overcharged	9347
	\$ 25.91	Pick Up		
	-\$2,099.13			
R.O. Given	\$3,943.72	Release	Overcharged	9354
	\$261.59	Pick Up		

Kathleen Cherry	-\$3,682.13	Adjustment		
	\$2,453.28	Release	Overcharged	9355
	\$ 34.90	Pick Up		
Thomas Jackson	-\$2,418.38	Adjustment		
	\$133.38	Release	Incorrect Value	9311
	\$ 21.66	Pick Up		
Glenda Carpenter	\$111.72	Adjustment		
	\$2,043.45	Release	Double Listed	9350
	\$153.81	Release	Listed in Wrong Co.	9318
Mark Michalski	\$226.31	Release	Military Exempt	9339
Walter Midgette	\$8,128.41	Pick Up	Roll Back Tax	9319
Linda Demuth	\$1,849.10	Pick Up	Roll Back Tax	9320
Alayne Sawyer	\$100.80	Pick Up	Listed in Wrong Co.	9306

Tax Collection Report – August 2007

Commissioner Sandy Duckwall made a motion to approve the tax collection report for August 2007 in the amount of \$312,764.38 as submitted by the Tax Administrator. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Tax Refunds to be Issued by the Finance Office

Commissioner Mike Andrews made a motion to approve the tax refunds to be issued by the Finance Office in the amount of \$562.60 as submitted by the Tax Administrator. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Election - Full-Time Elections Office

Election Director Elaine Best stated the county has 6,556 registered voters which puts the county over the limit to have a modified full time Elections office (NCGS 163-36) and requested that the directors’ position remain the same twenty four (24) hours week and that a part time Elections Specialist be hired for the additional sixteen (16) hours per week.

Commissioner Philip Faison made a motion to approve the part time Election Specialist position. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Finance - Budget Amendment – 2007-08-BA002

Commissioner Mike Andrews made a motion to approve budget amendment 2007-08-BA002. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

2007-08-BA002
CAMDEN COUNTY BUDGET AMENDMENT

BE IT ORDAINED by the Governing Board of the County of Camden, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2008.

Section 1. To amend the General Fund as follows:

ACCT NUMBER DESCRIPTION OF ACCT		INCREASE	AMOUNT DECREASE
Expenses:			
106050-537500	SHIIP Expenses	\$5,000.00	
Revenues:			
10360400-434837	SHIIP Grant	\$5,000.00	

This will result in a decrease of \$ 0.00in the Contingency of the General Fund.

Balance in Contingency \$71,464.00

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction. Adopted this 17th day of September, 2007.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

Building Inspections & Planning – Water Department and Maintenance/Buildings and Grounds

Commissioner Philip Faison made a motion to separate Building Inspections from Planning and combine Maintenance/Buildings & Grounds with the Water Department, to be effective November 1, 2007. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, and Chairman Jeffrey Jennings voting aye; Commissioner Mike Andrews voting no; no Commissioner absent; and no Commissioner not voting.

Soil and Water Conservation Vehicle

Commissioner Melvin Jeralds made a motion to approve funding of a vehicle up to \$7,500.00 for the Soil and Water Conservation position with Pasquotank County contingent that the vehicle be titled jointly with Pasquotank County. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

SOUTH CAMDEN WATER and SEWER DISTRICT BOARD OF DIRECTORS

During the regular meeting of the Camden County Board of Commissioners, Chairman Jeffrey Jennings recessed the Board of Commissioners regular meeting at 8:55 p.m. and called the South Camden Water and Sewer District Board of Directors regular meeting to order.

Member Sandy Duckwall made a motion to adjourn the South Camden Water and Sewer District Board of Directors meeting. The motion passed with Members Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Member voting no; no Member absent; and no Member not voting.

The meeting adjourned at 9:09 p.m.

County Manager's Report

County Manager Randell Woodruff reported on the following:

- September 26, 2007 at 7:00 a.m. – AEDC Breakfast Meeting in Senior Center
- Alternate on Board of Adjustment wants Board to consider moving Alternates to regular members of Board of Adjustment.
- Five (5) bids were opened for Register of Deeds Office Expansion Project and the Committee will be reviewing the bids to make a recommendation to the Board at the October 1, 2007 Commissioners meeting
- Stop order on Jail Project due to masonry contractors
- Waiting to hear from video tape company in Dare Country regarding video taping meetings

Other Matters

Commissioner Melvin Jeralds stated the county does not have an Ordinance prohibiting consuming alcohol on county property, Senior Trail and Community Park.

Attorney John Morrison will draft an Ordinance for the October 1, 2007 agenda.

Chairman Jeffrey Jennings read the following letter into the minutes:

Camden County Board of Commissioners

Attn: Jeffrey B. Jennings, Chairman
632 Lambs Road
Camden, NC 27921

Dear Mr. Jennings:

It is with sincere appreciation that I write to recognize members of the Camden County staff that supported the Coast Guard Day celebration this year. On behalf of the entire Coast Guard family, I extend a deep appreciation for their volunteerism and hard work during this year's event. They helped make this year's Coast Guard Day picnic one of the best ever. As a result of the efforts put forth by the volunteers, over 4000 patrons enjoyed the festivities.

Please pass on my sincere personal thanks for a job well done to the following members:

*Mr. Randell Woodruff, Camden County Manager
Ms. Ava Gurganus, Clerk to the Board of Commissioners
Ms. Michaelene Sawyer, Senior Services Director
Ms. Stephanie Jackson, Personnel Coordinator
Ms. Clarann Mansfield, Finance Director*

If not for the generosity of these volunteers, Coast Guard Day would not have been such a huge success,

*Sincerely,
M.A. Rose
Captain, U.S. Coast Guard*

Closed Session

Commissioner Sandy Duckwall made a motion to go into closed session pursuant to G.S. 143-318.11(a)(3) for the purpose of consultation with Attorney and pursuant to G.S. 143-318.11(a)(6) for the purpose of discussing Personnel. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The Commissioners entered closed session at 9:26 p.m.

Commissioner Sandy Duckwall made a motion to go out of closed session and back into regular session. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The Commissioners re-entered regular session at 9:32 p.m.

Adjournment

There being no further business at this time, Commissioner Sandy Duckwall made a motion to adjourn the meeting. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The meeting adjourned at 9:39 p.m.

Jeffrey B. Jennings, Chairman
Camden County Board of Commissioners

ATTEST:

Ava J. Gurganus
Clerk to the Board

